

# UNITED STATES DISTRICT COURT

District of Massachusetts  
CLERK'S OFFICE

Peierls Foundation, Inc. and E. Jeffrey Peierls,  
individually, and as trustee,

Plaintiffs,

V.

James E. Rurka, Mark Skaletsky, Paul J. Mellett,  
Richard Aldrich, Kate Bingham, Charles W.  
Newhall III, David Schnell, and John P. Walker,

Defendants.

TO: James E. Rurka

SUMMONS IN A CIVIL CASE

CASE NUMBER:

03-12213 EFH

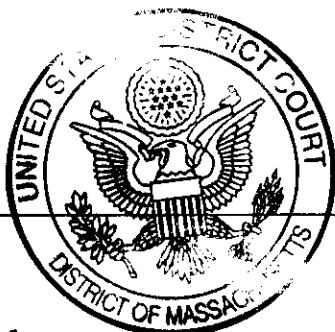
**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

David E. Marder  
Robin's, Kaplan, Miller & Ciresi LLP  
111 Huntington Avenue, Suite 1300  
Boston, MA 02199

an answer to the complaint which is served on you, with this summons, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK



NOV 12 2003

DATE

(BY) DEPUTY CLERK

Peierls, et. al., Plaintiff(s)  
vs.  
Rurka, et. al., Defendant(s)



Service of Process by  
**APS International, Ltd.**  
**1-800-328-7171**

APS International Plaza  
7800 Glenroy Rd.  
Minneapolis, MN 55439-  
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### AFFIDAVIT OF SERVICE -- Individual

ROBINS, KAPLAN, MILLER & CIRESI  
Ms. Janet S. Nolan  
111 Huntington Ave., Suite 1300  
Boston, MA 02199-7610

Service of Process on:

--James E. Rurka  
Court Case No. 03-cv-12213 (EFH)

State of: California ) ss.

County of: Santa Clara )

Name of Server: David Noriega, undersigned, being duly sworn, deposes and says  
that at the time of service, s/he was over the age of twenty-one, was not a party to this action;

Date/Time of Service: that on the 30 day of December, 20 03, at 1040 o'clock A M

Place of Service: at 3 Carriage Street, in Menlo Park, CA

Documents Served: the undersigned served the documents described as:  
Summons, Complaint w/attached Exhibit A

Service of Process on: A true and correct copy of the aforesaid document(s) was served on:  
James E. Rurka

Person Served, and  
Method of Service: ☒ By personally delivering them into the hands of the person to be served.  
☐ By delivering them into the hands of \_\_\_\_\_, a person of  
suitable age and discretion residing at the Place of Service,  
whose relationship to the person to be served is \_\_\_\_\_

Description of Person  
Receiving Documents: The person receiving documents is described as follows:  
Sex M; Skin Color White; Hair Color Brown; Facial Hair None  
Approx. Age 46; Approx. Height 5'10"; Approx. Weight 180  
☒ To the best of my knowledge and belief, said person was not engaged in the US Military at  
the time of service.

Signature of Server: Undersigned declares under penalty of perjury  
that the foregoing is true and correct.

David Noriega 12/30/03  
Signature of Server (Date)

**APS International, Ltd.**

APS File #: 063426-0003

Subscribed and sworn to before me this  
30<sup>th</sup> day of December, 2003  
Sarah Vaden 1/24/07  
Notary Public (Commission Expires)

